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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA, BILLINGS DIVISION**

SIGNAL PEAK ENERGY, LLC,	)	Case No.
Plaintiff,	)	CV 12-55-BLG-RFC
vs.	)	
EASTERN MONTANA MINERALS, INC.,	)	
and MUSSELSHELL RESOURCES, LLC,	)	
Defendants and Counterclaim Plaintiffs,	)	<b><u>GUNVOR GROUP,</u></b>
SIGNAL PEAK ENERGY, LLC;	)	<b><u>LTD.'S MOTION TO</u></b>
FIRSTENERGY CORP.; FIRSTENERGY	)	<b><u>DISMISS AMENDED</u></b>
VENTURES CORP.; FIRSTENERGY	)	<b><u>COUNTERCLAIMS</u></b>
GENERATION CORP.; GUNVOR GROUP,	)	
LTD.; PINESDALE LLC; BOICH	)	
COMPANIES, LLC; WMB MARKETING	)	
VENTURES, LLC; GLOBAL COAL SALES	)	
GROUP, LLC; and GLOBAL MINING	)	
HOLDING COMPANY, LLC,	)	
Counterclaim Defendants.	)	

Counterclaim Defendant Gunvor Group, Ltd. (“Gunvor”), pursuant to Rule 12(b) of the Federal Rules of Civil Procedure, hereby moves this Court to dismiss Counts Four, Five, Six, and Eight with respect to Gunvor, with prejudice. In support of this Motion Gunvor relies on the accompanying Memorandum of Law and the Declaration of Jacques Raymond Erni.

Pursuant to Local Rule 7.1(c)(1), local counsel for Defendants/Counterclaim Plaintiffs has been contacted and opposes this motion.

DATED this 25<sup>th</sup> day of July, 2012.

\_\_\_\_\_/s/ James H. Goetz\_\_\_\_\_  
GOETZ, GALLIK & BALDWIN, P. C.  
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**CERTIFICATE OF SERVICE**

I certify that, on July 25, 2012, a copy of the foregoing document was served on the following persons by the following means:

<u>1-9</u>	CM/ECF
_____	Hand Delivery
_____	Mail
_____	Overnight Delivery Service
_____	Fax
_____	E-Mail

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\_\_\_\_\_/s/ James H. Goetz\_\_\_\_\_  
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cc: Hon. Richard F. Cebull, U. S. District Judge  
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